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| 10/715,415 | 11/19/2003 | Shigeru Miyamoto | 723-1454 | 5323 |
| 27562 7590 08/10/2007 NIXON & VANDERHYE, P.C. 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203 | | | | |
| | | | EXAMINER WILLIAMS, ROSS A | |
| | | | ART UNIT 3714 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/715,415

Applicant(s)

MIYAMOTO ET AL.

Examiner

Ross A. Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) ~~1-17~~ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/19/03, 2/11/04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

The applicant has provisionally elected claims 1 – 16 with traverse, stating that claim 17 should also be examined along with claims 1 – 16. The Examiner agrees with the Applicants arguments and thus will examine claims 1 – 17.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 4, 6, 8 – 12, 14, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Miyamoto et al (US 7,115,031).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Claims 1, 6, 8, 9, 14, 16 and 17: Miyamoto discloses a game system comprising a common display wherein a common game world is displayed and a plurality of handheld game units that are also connected to a game console and the common display (Miyamoto Fig 1). Miyamoto et al discloses at least one map storage location for storing map data based on which to display a game space (Miyamoto 8:48 – 63). Miyamoto discloses the use of first and second game characters, thus inherently disclosing at least one character storing locations (Miyamoto 8:49 – 52). Miyamoto discloses the use of operating mechanisms and the detection of these operation mechanisms for when the game player operated the game unit control switches for switching the game characters to an operation mode, wherein the game characters are caused to be moved upon the display screens when the player switches to the game character (Miyamoto 8:33 – 47). Miyamoto further discloses the use of a common display wherein a broad extent or first viewpoint of the game space containing the first and second game characters is displayed based upon the stored game space map data and the stored data in the character locations stores, when the game player operates the controller mechanism to control the first game character (8:25 – 37, 14:28 – 33). Miyamoto further discloses the display of a narrow extent of the game space upon a second display output mechanism (i.e. the second users handheld device), wherein the narrow extent of the game is a viewpoint that is of the game character that is different from the common display viewpoint on the common display (Miyamoto 15:43 – 56). Miyamoto discloses that the handheld devices that contain the individual display screens provide control mechanism switches that the player is able to use to control the

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game characters on the display screens (Both the common and individual display screens).

Claims 2, 3, 10 and 11: Miyamoto discloses the use of at least two separate and discrete handheld devices that comprise individual display screens and individual game operation switched used for the controlling of the player's game characters (Miyamoto 8:33 – 48, 13:30 – 42).

Claims 4 and 12: Miyamoto discloses that use of multiple individual portable game units each possessing an individual game screen, that can be used in the game system. Each game unit may be used by a different player for the controlling of a second game character by means of a second control mechanism. The plurality of second game screens are separated thus they do not overlap each one another (Miyamoto Fig 1, 13:30 – 43).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (US 7,115,031) in view of Kaku (US 2002/0013172).

Claims 5 and 13: Miyamoto fails to disclose a residual image that is displayed upon the second game screen along the trajectory of the first character for a predetermined period of time. However, Kaku discloses that the concept of motion blurring in video games is extremely well known in the video game industry. Specifically by presenting on the game screen a residual image of a trajectory of a moving object such as a game character or a game character's moving body, the player is presented with a dramatic effect to demonstrate character movement (Kaku par 0012 – 0014).

It would be obvious to one of ordinary skill in the art to be motivated to modify Miyamoto in view of Kaku to provide a means of presenting an residual image upon a video game screen to provide a player with a dramatic effect that simulates movement of a game character on a video game screen, thus making the game more enjoyable to the player.

Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (US 7,115,031) in view of Madden 2000 instruction booklet (released July 31, 1999).

Claims 7 and 15: Miyamoto does not specifically disclose first and second score storage areas and table generation/update mechanism for generating table data for

correlating scores between the operable game characters and the score storage areas. Miyamoto also fails to explicitly disclose a score adding mechanism for cumulatively adding points each time a first character scores and a score writing mechanism for writing the points added by the score adding mechanism to first score storage area when the player is associated with the first character and writing points added by the score adding mechanism to the second score storage area when the second player is associated with the first character. However Madden 2000 instruction booklet discloses that up to eight players are allowed to play a football match and the up to eight players are able to select what team they want to play on (Madden 2000 page 9). Inherently to the game of football, only two teams are allowed to play a game of football at one time. Thus, at least some of the players will be playing on the same football team. Madden 2000 further discloses that the players can press a switching button that allows players to control game characters nearest to the ball by pressing the "x" button (Madden 2000 page 7). Madden further discloses that the game character accrue or accumulate various game statistics or scores according to how they play the game (Madden 2000 page 14). Thus it would be obvious to write and recorded game scores that are associated with various game characters when they are controlled by various players by means of the game character switching buttons.

It would be obvious to one of ordinary skill in the art to be motivated to modify Miyamoto in view of Madden 2000 to provide various score storage areas (i.e. first and second areas) that are associated, updated and cumulated according to various players when they switch to different game characters in the game. It is well known that to track

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various scores and stats of game characters in a sports or competition game to enable the players to effectively compete with other players and provide an informative means to provide the player with a measure of their proficiency at playing the game.

Citation Of Pertinent Art

US 6,126,547: Discloses video games with different viewpoints.

US 5,393,073: Discloses handheld game units connected to a common display.

US 6,238,291: Discloses a handheld game unit connected to a game console.

US 6,500,070: Discloses a portable game units connected to a game console and display.

Conclusion

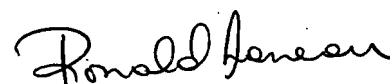
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross A. Williams whose telephone number is (571) 272-5911. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


RAW
8/1/07


RONALD LANEAU
PRIMARY EXAMINER